REMARKS

Reconsideration and withdrawal of the rejections set forth in the Final Office Action dated November 13, 2008, is respectfully requested in view of this amendment. By this amendment, claims 29-36 have been cancelled and new claims 37-39 have been inserted. Claims 37-39 are pending in this application.

The claims set forth (1) adding reference information included in each piece of received fragment data configuration information to a position where corresponding fragment data is to be concatenated in the structured data based on position information; (2) specifying the location where there is corresponding fragment data based on the reference information added to the position where the corresponding fragment data is to be concatenated in the structured data responsive to an instruction for concatenating; (3) receiving fragment data from the specified location, and (4) replacing the received fragment with the reference information added to the position where said each corresponding fragment data is to be concatenated and concatenating the received fragment data to generate the structured data.

The subject matter of new claim 37 is supported by the description of page 21, line 6 - page 23, line 1 and Figs 12 and 13 in the specification. The subject matter of new claim 38 is supported by the description of page 21, line 6 - page 23, line 1, page 29, line 24 - page 30, line 3 and Figs. 12 and 13 in the specification. The subject matter of new claim 39 is supported by the description of page 21, line 6 - page 23, line 1, page 24, line 14 - page 25, line 2, page 27, lines 6.19, page 34, lines 8-31 and Figs. 5, 12 and 13 in the specification.

It is respectfully submitted that the above amendments introduce no new matter within the meaning of 35 U.S.C. §132.

Rejections under 35 USC §102

On pages 2-19 of the Office Action, claims 29-36 were rejected under 35 USC 102(e) as anticipated by U.S. Patent No. 6,804,677 to Shadmon, et al. (hereinafter *Shadmon*). *Shadmon* is cited as allegedly showing features relating to receiving fragment data in which position information

is provided including information specifying a node in structured data, and connecting the nodes accordingly.

Response

This rejection is traversed as follows. For a reference to anticipate an invention, all of the elements of that invention must be present in the reference. The test for anticipation under section 102 is whether each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131.

New independent claim 37 recites, *inter alia*, a structured data receiving method, which includes:

> "... adding reference information included in each piece of received fragment data configuration information to a position where each corresponding fragment data is to be concatenated in the structured data, based on position information included in said each piece of received fragment data configuration information;
> specifying the location where there is said each corresponding fragment data based on the reference information added to the position where said each corresponding fragment data is to be concatenated in the structured data, responsive to an instruction for concatenating said each corresponding fragment data;
> receiving a fragment data from the specified location; and
> replacing by the received fragment data the reference information added to the position where said each corresponding fragment data is to be concatenated and concatenating the received fragment data to generate the structured data ...

New independent claims 38-39 recite similar features.

As set forth, the claimed subject matter is able to provide a structured data receiving method for concatenating a plurality of fragmented structured data to generate a structured data at a receiving side. This is detailed in the Specification, for example at page 3, line 29 - page 4, line 5.

In the exemplary configuration, the structured data receiving method includes the following steps:

- First, position information and reference information are extracted from fragment configuration information corresponding to each of fragment data (fragmented structured data), thereby constituting a structured data.

- Next, the reference information is added to a position where the corresponding fragment data is to be concatenated in the structured data (a position specified by the position information), based on the position information.

- Finally, in order to resolve the reference information, a fragment data specified by the ID included in the reference information is received from the fragment data temporary storage -unit 33 (the specified location), and then the added reference information is deleted and the received fragment data is added to the position where the reference information was positioned. (See page 21, line 6 - page 23, line 1 and Figs. 12-13.)

In contrast, *Shadmon* describes the following steps of: (1) mapping the structured data to designated records which are subordinated records; (2) combining the designated records into strings each of which represents structural information, based on the subordination relationships; and (3) creating a designated index structure in which each string is treated as a key in search. (See *Shadmon* at col.19 lines 12-63 and Figs. 4, 7 and 8.)

Shadmon, however, fails to disclose or suggest at least the following steps of: (1) adding reference information to a position where the fragmented structured data corresponding to the added reference information is to be concatenated in the structured data based on position information; (2) specifying the location where there is the fragmented structured data based on the added reference information; (3) receiving a fragmented structured data from the specified location; and (4) replacing the added reference information by the received fragmented structured data. Thus *Shadmon* fails to show the features as recited in new independent claims 37-39.

The failure to show Applicant's claimed features stems from the fact that *Shadmon* focuses not on a method for concatenating a plurality of fragmented structured data to generate a structured data at a receiving side; but instead, a method for mapping a structured data to a structured index in which each of strings constituting the structured index is applied as a keyed-in search at one side.

Therefore, in *Shadmon's* method, it is not necessary to add reference information to a position where the fragmented structured data is to be concatenated in the structured data, specify the location where there is the fragmented structured data based on the added reference information, receive a fragmented structured data from the specified location, and replace the added reference information by the received fragmented structured data, order to restructure the original structured data at a receiving side. Thus *Shadmon* fails to disclose all of the features of claim 37 and does not anticipate it.

Further, new independent claim 38 recites, *inter alia*:

> "... a structured data receiving method ..., the structured data having the tree structure that is metadata describing the detail of structured multimedia content... ."

In the exemplary configuration of the presently claimed subject matter, the structured data receiving method implements the active acquisition/concatenation of fragment data (fragmented structured data) by a receiving side using the fragment configuration information in MPEG•7 system. MPEG-7 is defined as a standard for structured metadata that temporally and spatially structures multimedia content and describes the detail of the multimedia content in a tree structure format. (See page 1, lines 16-24 and page 29, line 26 - page 30, line 3.)

In contrast, *Shadmon* fails to disclose or suggest structured data having a tree structure that is metadata describing the detail of structured multimedia content, and thus does not anticipate claim 38 for at least this reason.

Furthermore, new independent claim 39 recites, *inter alia*:

> "... a structured data receiving method ... the reference information includes URI (Uniform Resource Identifier) indicating a resource in a network ... ."

In the exemplary configuration of the presently claimed subject matter, the structured data receiving method references the fragment data (fragmented structured data) stored in the database (resource) 5 via the Internet using URI (Uniform Resource Identifier). (See page 24, line 14 - page 25, line 2, page 27, lines 6-19, page 34, lines 8-33, and Fig. 5).

In contrast, *Shadmon* fails to disclose or suggest reference information including the uses of a URI to indicate a resource in a network, and thus does not anticipate claim 39 for at least this reason.

Applicants respectfully submit that the *Shadmon* reference does not teach or suggest all the features as recited in claims 36-39 of the present application. It is therefore respectively submitted that the rejection under 35 U.S.C. §102 should be withdrawn.

CONCLUSION

In light of the foregoing, Applicants submit that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner call the undersigned.

Respectfully submitted,
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